

House File 138 - Introduced

HOUSE FILE 138

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A BILL FOR

1 An Act relating to gubernatorial appointments made to a
2 district judicial nominating commission.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 46.3, Code 2011, is amended to read as
2 follows:

3 **46.3 Appointment of district judicial nominating**
4 **commissioners.**

5 1. The governor shall appoint five eligible electors of each
6 judicial election district to the district judicial nominating
7 commission.

8 2. ~~Appointments~~ The appointments made by the governor
9 shall be to staggered terms of six years each and shall be
10 made in the month of January for terms commencing February 1
11 of even-numbered years.

12 3. ~~No more than a~~ A simple majority of the commissioners
13 appointed shall be of the same gender.

14 4. Beginning with terms commencing February 1, 2012, there
15 shall not be more than one appointed commissioner from a
16 county within a judicial election district unless each county
17 within the judicial election district has an appointed or
18 elected commissioner or the number of appointed commissioners
19 exceeds the number of counties within the judicial election
20 district. This subsection shall not be used to remove an
21 appointed commissioner from office prior to the expiration of
22 the commissioner's term.

23 EXPLANATION

24 This bill relates to gubernatorial appointments made to a
25 district judicial nominating commission.

26 Beginning with the terms commencing on February 1, 2012,
27 the bill provides that the governor shall not appoint more
28 than one commissioner from a county within a judicial election
29 district unless each county within the judicial election
30 district has an appointed or elected commissioner or the number
31 of appointed commissioners exceeds the number of counties
32 within the judicial election district. Current law does not
33 place residency restrictions on governor appointments to the
34 commission other than the person shall reside within the
35 judicial election district.

1 A district judicial nominating commission nominates three
2 persons to the governor who then selects a person from the
3 list of nominees for appointment to fill a vacancy in district
4 court.

5 A district judicial nominating commission consists of five
6 eligible electors of the judicial election district appointed
7 to staggered terms by the governor, five eligible electors of
8 the judicial election district elected to staggered terms by
9 the lawyers of the judicial election district, and the most
10 senior district judge of the judicial election district.